

INSTRUCTION NO. [8-201(a)]

**[Issues in Cruelty to Animals, 2003]**

To convict the Defendant of Cruelty to Animals, the State must prove the following:

That the Defendant, without justification, knowingly or negligently  
subjected an animal to mistreatment or neglect by:

[overworking, beating, tormenting, torturing, injuring, or killing the animal]

[carrying or confining the animal in a cruel manner]

[failing to provide an animal in the Defendant's custody with

[food and water of sufficient quantity and quality to sustain the  
animal's normal health]

[minimum protection for the animal from adverse weather  
conditions, with consideration given to the species]

[in cases of immediate, obvious, serious illness or injury, licensed  
veterinary or other appropriate medical care]

[abandoning any helpless animal or abandoning any animal on any  
highway, railroad or in any other place where it may suffer injury, hunger,  
or exposure or become a public charge]

[promoting, sponsoring, conducting, or participating in an animal race of  
more than 2 miles, except a sanctioned endurance race]

If you find from your consideration of the evidence that all of these  
elements have been proved beyond a reasonable doubt, then you should find the

Defendant guilty.

If, on the other hand, you find from your consideration of all the evidence that any of these elements has not been proved beyond a reasonable doubt, then you should find the Defendant not guilty.

GIVEN: \_\_\_\_\_  
District Judge

Source: MCJI 8-201(a)

Plaintiff's Proposed Instruct. No. \_\_\_\_ Defendant's Proposed Instruct. No. \_\_\_\_

Given as Instruction No. \_\_\_\_ Refused \_\_\_\_ Withdrawn \_\_\_\_ By \_\_\_\_

**[Issues in Cruelty to Animals, 2003, Source and Comments]**

SOURCE: MCA § 45-8-211 (2003).

COMMENT: Cite as MCJI 8-201(a).

Use only the applicable bracketed language. Delete that which is not applicable. Some of the internal language in a particular subsection may also be deleted as inapplicable to a given case.